CASE No. 83 - 148

IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1983

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SUPREME COURT, U.S.

XI 29 PAGE R4

Theresaa R. Johnson,
petitioner,

versus

District School Board of Hernando County, Florida,
Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

Response To Respondent's Waiver Of Right To File a BRIEF IN OPPOSITION to the PETITION for writ of certiorari.

In accordance with Rule 22(4) of the Supreme Court of The United States the respondent may express waiver of the right to file a brief in opposition to the petition. But, the respondent have no reserved right to file an opposition brief on the merits in the event the petition is granted.

It is not clear whether Mr. John W. Bowen can make such waiver for the respondent. He was not counsel for the respondent when the petition was filed, Mr. Joseph E. Johnston was counsel at that time. A corporation should not switch back and forth with its attorneys in the same case. It should (for fairness to the opposeing party) choose the one or the two to litigate in its behalf at the beginning of the lawsuit, and continue with same for written documents.

Mr. John W. Bowen is seeking appearance at the time he expresses the waiver of right. He may or may not be permitted to appear for oral argument. A permit for his appearance is up to the discretion of the Court.

When the time for respondent's filing of a brief in opposition expires, the petitioner is asking that the Clerk distribute to the Court (When it begins its annual Term in October, 1983) the petition with the expressed statement, 'Counsel(s) for the respondent filed no opposition to the petition.'

Theressa R. Johnson, Pro Se
Petitioner
810 Saint Francis St.
Brooksville, Florida 33512
Telephone:(904) 796-2853

PROOF OF SERVICE

I hereby swear that a copy of this response have been served on counsel(s) for the respondent by enclosing it in an envelope, first class postage prepaid, addressed to:

Mr. Joseph E. Johnston, Jr. Esq.
29 South Brooksville Avenue
Brooksville, Florida 33512

and

Mr. John W. Bowen, Esq.
Suite 402 Barnett Bank Tower
2929 E. Commercial Blvd.
Fort Lauderdale, Florida 33308

and depositing same in the United States Mails on this first day of September, 1983.

By Theressa R. Johnson
Theressa R. Johnson, Petitioner